

- | | |
|--|--|
| | |
|--|--|
- [Query](#)
 - [Reports](#)
 - [Utilities](#)
 - [Logout](#)

CLOSED, **PAF**

Live Database
U.S. District Court - Eastern District of Tennessee (Knoxville)
CIVIL DOCKET FOR CASE #: 3:10-cv-00056

Carson v. U.S. Department of Justice
Assigned to: District Judge Thomas W Phillips
Referred to: Magistrate Judge C Clifford Shirley
related Case: [3:11-cv-00399](#)

Date Filed: 02/12/2010
Date Terminated: 05/02/2011
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Cause: 05:552 Freedom of Information Act

Plaintiff

Joseph P Carson

represented by **Joseph P Carson**
10953 Twin Harbour Drive
Knoxville, TN 37934
865-300-5831
Email: jpcarson@tds.net
PRO SE

V.

Defendant

U.S. Department of Justice

represented by **Loretta S Harber**
U S Department of Justice (Knox USAO)
Office of U S Attorney
800 Market Street
Suite 211
Knoxville, TN 37902
865-545-4167
Email: loretta.harber@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/12/2010	<u>1</u>	COMPLAINT against U.S. Department of Justice (Filing fee \$ 350), filed by Joseph P Carson.(Attachments: # <u>1</u> Exhibit 1 (FOIA Request), # <u>2</u> Exhibit 2 (FOIA Response 12/4/09), # <u>3</u> Exhibit 3 (Letter from US Dept of Justice 12/11/09), # <u>4</u> Exhibit 4 (Carson Reply 01/12/10), # <u>5</u> Exhibit 5 (USDOJ Response plus attach. 01/27/10), # <u>6</u> Exhibit 6 (Carson Ltr to Eric Holder 01/02/10), # <u>7</u> Civil Cover Sheet) (KAW) (Entered: 02/22/2010)
02/12/2010		Filing fee: \$ 350, receipt number K3012639 (KAW) (Entered: 02/22/2010)
02/19/2010	<u>2</u>	ORDER This case is before the undersigned pursuant to this Court's Local Rule 3.2(d)(3)(B) for determination of whether it is related to another case previously filed in this Court. Applying Local Rule 3.2 (d)(3)(A), the undersigned finds that this case and the case of Joseph P. Carson v. United States Department of Justice, Case No. 3:10-cv-56, are both sufficiently related to the previously filed cases Carson v. United States Office of Special Counsel, Case No. 3:08-cv-317 (Phillips/Shirley), Carson v. United States Office of Special Counsel, Case No. 3:08-cv-330 (Phillips/Shirley), and Carson v. United States Securities and Exchange Commission, Case No. 3:09-cv-615 (Phillips/Shirley), that they should also be assigned to United States District Judge Thomas W. Phillips and United States Magistrate Judge C. Clifford Shirley for all further proceedings. However, consolidation of these cases is not ordered.Signed by Magistrate Judge C Clifford Shirley on 02/19/2010. (KAW) (Entered: 02/22/2010)
02/22/2010		Summons Issued as to U.S. Department of Justice, U.S. Attorney and U.S. Attorney General. Please note summons were returned to Plaintiff by U.S. Mail for service. (KAW) (Entered: 02/22/2010)
03/01/2010	<u>3</u>	SUMMONS Returned Executed by Joseph P Carson. U.S. Department of Justice served on 2/25/2010. (AYB) (Entered: 03/02/2010)
03/24/2010	<u>4</u>	MOTION for ECF Access for This Case by Joseph P Carson. (AYB) (Entered: 03/25/2010)
03/29/2010	<u>5</u>	MOTION for Extension of Time to File Answer by U.S. Department of Justice. (Harber, Loretta) (Entered: 03/29/2010)
03/30/2010	<u>6</u>	ORDER granting <u>5</u> respondent's Motion for Extension of Time to respond to <u>1</u> petitioner's Complaint, whereby respondent shall file its response by May 13, 2010. Signed by District Judge Thomas W Phillips on March 30, 2010. (AYB) (Entered: 03/30/2010)

03/30/2010	<u>7</u>	RESPONSE in Opposition to <u>5</u> MOTION for Extension of Time filed by Joseph P Carson. (AYB) (Entered: 03/30/2010)
04/02/2010	<u>8</u>	MOTION for Reconsideration of <u>6</u> Order of March 30, 2010, Granting Motion for Extension of Time to Answer by Joseph P Carson. (AYB) (Entered: 04/05/2010)
04/06/2010	<u>9</u>	ORDER REFERRING <u>4</u> petitioner's MOTION for ECF Access for This Case to U.S. Magistrate Judge C. Clifford Shirley Jr. Signed by District Judge Thomas W Phillips on April 6, 2010. (AYB) (Entered: 04/06/2010)
04/07/2010	<u>10</u>	MEMORANDUM AND ORDER granting <u>4</u> Motion for Leave to Obtain ECF Access. Signed by Magistrate Judge C Clifford Shirley on 4/07/2010. (Copy of order mailed to Joseph Carson) (KMK) (Entered: 04/07/2010)
04/12/2010	<u>11</u>	MOTION to Withdraw <u>8</u> MOTION for Reconsideration re <u>6</u> Order on Motion for Extension of Time to Answer, by Joseph P Carson. (Attachments: # <u>1</u> Exhibit FOIA response of April 8, 2010)(Carson, Joseph) (Entered: 04/12/2010)
04/14/2010	<u>12</u>	ORDER granting <u>11</u> petitioner's Motion to Withdraw his request for reconsideration of the court's March 30, 2010 order, whereby petitioner's Motion for Reconsideration <u>8</u> is withdrawn. Signed by District Judge Thomas W Phillips on April 14, 2010. (AYB) (Entered: 04/14/2010)
05/19/2010	<u>13</u>	Second MOTION for Extension of Time to File Answer <i>or Response to Complaint</i> by U.S. Department of Justice. (Harber, Loretta) (Entered: 05/19/2010)
05/20/2010	<u>14</u>	ORDER granting <u>13</u> respondent's Motion for Extension of Time to respond to petitioner's complaint, whereby respondent's response to the complaint shall be due June 30, 2010. Signed by District Judge Thomas W Phillips on May 20, 2010. (AYB) (Entered: 05/20/2010)
06/30/2010	<u>15</u>	Third MOTION for Extension of Time to File Answer by U.S. Department of Justice. (Harber, Loretta) (Entered: 06/30/2010)
06/30/2010	<u>16</u>	RESPONSE in Opposition re <u>15</u> Third MOTION for Extension of Time to File Answer filed by Joseph P Carson. (Carson, Joseph) (Entered: 06/30/2010)
07/02/2010	<u>17</u>	ORDER granting <u>15</u> respondent's Motion for Enlargement of Time to respond to <u>1</u> petitioner's Complaint. Respondent's response to the complaint shall be due August 16, 2010. Signed by District Judge Thomas W Phillips on July 2, 2010. (AYB) (Entered: 07/02/2010)

08/17/2010	<u>18</u>	MOTION for Extension of Time to File <i>Fourth Motion for Enlargement, One Day Out of Time</i> by U.S. Department of Justice. (Attachments: # <u>1</u> Exhibit Proffer of Fourth Motion for Enlargement of Time)(Harber, Loretta) (Entered: 08/17/2010)
08/19/2010	<u>19</u>	ORDER granting <u>18</u> respondent's Motion for Extension of Time to file its fourth motion for enlargement of time to respond to petitioner's complaint. Signed by District Judge Thomas W Phillips on August 19, 2010. (AYB) (Entered: 08/19/2010)
08/19/2010	<u>20</u>	Fourth MOTION for Extension of Time to File Answer by U.S. Department of Justice. (Attachments: # <u>1</u> Exhibit)(Harber, Loretta) (Entered: 08/19/2010)
08/24/2010	<u>21</u>	ORDER granting <u>20</u> respondent's Motion for Extension of Time to respond to petitioner's complaint, whereby respondent's response to the complaint shall be due September 15, 2010. Signed by District Judge Thomas W Phillips on August 24, 2010. (AYB) (Entered: 08/24/2010)
09/15/2010	<u>22</u>	MOTION to Dismiss for Lack of Jurisdiction by U.S. Department of Justice. (Harber, Loretta) (Entered: 09/15/2010)
09/15/2010	<u>23</u>	<i>Declaration of Vanessa Brinkman</i> in Support of <u>22</u> MOTION to Dismiss for Lack of Jurisdiction filed by U.S. Department of Justice. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit) (Harber, Loretta) Modified text on 9/16/2010 (AYB). (Entered: 09/15/2010)
09/15/2010	<u>24</u>	<i>Declaration of Priscilla Jones</i> in Support of <u>22</u> MOTION to Dismiss for Lack of Jurisdiction filed by U.S. Department of Justice. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit) (Harber, Loretta) Modified text on 9/16/2010 (AYB). (Entered: 09/15/2010)
09/15/2010	<u>25</u>	<i>Declaration of Gail Hardin</i> in Support of <u>22</u> MOTION to Dismiss for Lack of Jurisdiction filed by U.S. Department of Justice. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit) (Harber, Loretta) Modified text on 9/16/2010 (AYB). (Entered: 09/15/2010)
09/15/2010	<u>26</u>	<i>Declaration of David Hardy</i> in Support of <u>22</u> MOTION to Dismiss for Lack of Jurisdiction filed by U.S. Department of Justice. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit) (Harber, Loretta) Modified text on 9/16/2010 (AYB). (Entered: 09/15/2010)
09/15/2010	<u>27</u>	MEMORANDUM in Support of Motion re <u>22</u> MOTION to Dismiss for Lack of Jurisdiction filed by U.S. Department of Justice. (Harber, Loretta) (Entered: 09/15/2010)
09/22/2010	<u>28</u>	RESPONSE to Motion re <u>22</u> MOTION to Dismiss for Lack of Jurisdiction filed by Joseph P Carson. (Carson, Joseph) (Entered: 09/22/2010)

05/02/2011	29	MEMORANDUM OPINION granting 22 respondent's Motion to Dismiss for Lack of Jurisdiction, and this action is dismissed, with prejudice. Signed by District Judge Thomas W Phillips on May 2, 2011. (AYB) (Entered: 05/02/2011)
05/02/2011	30	JUDGMENT on Decision by the Court, entered by the Clerk, that respondent's motion to dismiss is granted; and that this action be dismissed with prejudice on the merits. (AYB) (Entered: 05/02/2011)
05/17/2011	31	MOTION plaintiff's litigation costs re 29 Order on Motion to Dismiss/Lack of Jurisdiction by Joseph P Carson. (Carson, Joseph) Modified on 5/19/2011 to remove incomplete pdf. Pro se petitioner has re-filed complete document as Doc. 32 (AYB). (Entered: 05/17/2011)
05/18/2011	32	MOTION by awarded litigation costs re 29 Order on Motion to Dismiss/Lack of Jurisdiction by Joseph P Carson. (Carson, Joseph) (Entered: 05/18/2011)
05/19/2011	33	ORDER REFERRING 32 plaintiff's MOTION for litigation costs to USMJ C. Clifford Shirley Jr. Signed by District Judge Thomas W Phillips on May 19, 2011. (AYB) (Entered: 05/19/2011)
05/26/2011	34	MOTION for Extension of Time to File Response/Reply to <i>Petitioner's Motion for Litigation Costs</i> by U.S. Department of Justice. (Harber, Loretta) (Entered: 05/26/2011)
05/31/2011	35	ORDER granting 34 Motion for Extension of Time to File Response/Reply re 34 32 MOTION by awarded litigation costs re 29 Order on Motion to Dismiss/Lack of Jurisdiction. Responses due by 7/6/2011. Signed by Magistrate Judge C Clifford Shirley on 5/31/2011. (DCP) (Entered: 05/31/2011)
06/30/2011	36	Second MOTION for Extension of Time to File Response/Reply to <i>Plaintiff's Motion for Litigation Costs</i> by U.S. Department of Justice. (Harber, Loretta) Modified on 7/1/2011 to remove pdf. Counsel has filed correct document as Doc. 37 (AYB). (Entered: 06/30/2011)
07/01/2011	37	Second MOTION for Extension of Time to File Response/Reply to <i>Plaintiff's Motion for Litigation Costs</i> by U.S. Department of Justice. (Harber, Loretta) (Entered: 07/01/2011)
07/07/2011	38	ORDER granting 37 Motion for Extension of Time to File Response to Plaintiff's Motion for Litigation Costs. The Government shall have up to and including August 5, 2011, to respond to the Motion for Litigation Costs. Signed by Magistrate Judge C Clifford Shirley on July 7, 2011. (AYB) (Entered: 07/07/2011)
07/26/2011		Document 39 pdf removed, edited and filed in correct case. (DCP) (Entered: 07/26/2011)

08/03/2011	39	RESPONSE in Opposition re 32 MOTION by awarded litigation costs re 29 Order on Motion to Dismiss/Lack of Jurisdiction filed by U.S. Department of Justice. (Harber, Loretta) (Entered: 08/03/2011)
08/06/2011	40	REPLY to Response to Motion re 32 MOTION by awarded litigation costs re 29 Order on Motion to Dismiss/Lack of Jurisdiction filed by Joseph P Carson. (Attachments: # 1 Exhibit Presidential memo on FOIA, # 2 Exhibit list of litigation costs)(Carson, Joseph) (Entered: 08/06/2011)
08/06/2011	41	AFFIDAVIT in Support re 32 MOTION by awarded litigation costs re 29 Order on Motion to Dismiss/Lack of Jurisdiction filed by Joseph P Carson. (Carson, Joseph) (Entered: 08/06/2011)
08/18/2011	42	MOTION for Permission to File a Sur-Reply to 32 MOTION by awarded litigation costs filed by U.S. Department of Justice. (Attachments: # 1 Proffer of Sur-reply, # 2 Proffer of Supporting Declaration)(Harber, Loretta) Modified on 8/19/2011 to convert entry into a motion (AYB). (Entered: 08/18/2011)
08/19/2011	43	RESPONSE in Opposition re 42 MOTION for Leave to File <i>sur-reply</i> filed by Joseph P Carson. (Attachments: # 1 Affidavit plaintiff's affidavit)(Carson, Joseph) (Entered: 08/19/2011)

PACER Service Center

Transaction Receipt

09/20/2011 15:25:01

PACER Login:	pb0232	Client Code:	foiaproj
Description:	Docket Report	Search Criteria:	3:10-cv-00056
Billable Pages:	4	Cost:	0.32